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Office

2012 APR 13 PM 1:56

A. White

**SUPERIOR COURT OF THE STATE OF ARIZONA  
COUNTY OF YAVAPAI**

STATE OF ARIZONA,

Plaintiff,

v.

STEVEN CARROLL DEMOCKER,

Defendant.

NO. P1300CR201001325

**MOTION FOR ORDER  
ALLOWING MANAGEMENT  
INFORMATION SYSTEMS TO  
PROVIDE INFORMATION  
REGARDING DOCUMENTS IN  
ONBASE SYSTEM**

(Expedited briefing and ruling  
requested)

(Assigned to the Hon. Gary Donahoe)

Yavapai County Attorney's Office ("YCAO") moves this Court for an order allowing Yavapai County Management Information Systems department ("MIS") to provide information regarding documents in Yavapai County's OnBase System. The documents at the heart of the evidentiary hearing scheduled for May 30, 2012 are stored and maintained in the OnBase system. The documents allegedly were accessed through the OnBase system and the rights, privileges, and delivery of those documents were set through that system. Consequently, access to the OnBase system and information regarding the documents in that system are essential to the hearing and the parties' preparation for the hearing.

1 As more fully described in the Investigative Report of James A. Jarrell,<sup>1</sup> MIS is the  
2 Yavapai County department that administers the OnBase system for all Yavapai County  
3 departments. Robin Schmidt is the MIS Programmer Supervisor; Susan Murphy is the  
4 OnBase Administrator and is certified by the developer of OnBase, Hyland Software, as  
5 an Advanced Systems Administrator and Workflow Administrator. Ms. Murphy, in  
6 particular, is in a unique position to identify documents and information in OnBase,  
7 discuss the history of the documents at issue and provide information regarding the rights,  
8 privileges, access, and delivery issues that will be relevant to fully understanding the  
9 viewing and printing of documents by YCAO personnel as alleged by Defendant.

10 Because MIS is the administrator of OnBase, it traditionally requests authority  
11 from the department that entered documents into the document management system  
12 before providing any information regarding those documents or the history of access,  
13 rights, privileges, and delivery of those documents. Here, the documents at issue were  
14 scanned into OnBase by the Clerk of Court, so MIS would traditionally request  
15 authorization from the Clerk of Court to provide any of this information. For purposes of  
16 efficiency, YCAO requests that the Court enter an Order authorizing MIS to provide  
17 information to the attorneys of record for the parties to this evidentiary hearing regarding  
18 those documents, including the history of access, rights, privileges, and delivery of those  
19 documents, unless otherwise prohibited by this Court. A form of Order is attached as  
20 Exhibit A.

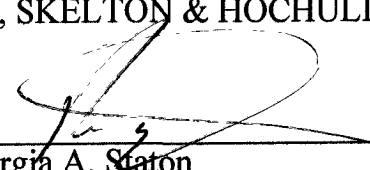
21 Because of the abbreviated time schedule for discovery and disclosure regarding  
22 the evidentiary hearing, YCAO requests that the Court set an expedited briefing schedule  
23 and would allow this issue to be heard during the oral argument currently scheduled for  
24 April 23, 2012.

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26  
27 <sup>1</sup> The Jarrell Report was attached as Exhibit A to the State's Response to  
28 Defendant's Motion to Dismiss/Disqualify the Yavapai County Attorneys Office. For  
efficiency purposes, it is not re-attached to this Motion, but is instead incorporated by  
reference.

1 RESPECTFULLY SUBMITTED this 12th day of April, 2012.

2 JONES, SKELTON & HOCHULI, P.L.C.

3  
4 By

  
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8 ORIGINAL of the foregoing Fedexed  
9 for filing this 12th day of April, 2012 to:

10 Clerk of the Court  
11 Yavapai County Superior Court  
12 120 South Cortez Street  
13 Prescott, AZ 86303

14 COPY of the foregoing emailed  
15 this 12th day of April, 2012, to:

16 Honorable Gary Donahoe  
17 Visiting Judge  
18 Email: gdonahoe@q.com

19 COPY of the foregoing mailed and  
20 emailed this 12th day of April, 2012, to:

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